

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 517

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Daniel P. Silva

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING A SECTION OF THE MOTOR
VEHICLE CODE TO CLARIFY THE WEIGHT LIMIT FOR SOLID WASTE
COLLECTION VEHICLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-7-413.3 NMSA 1978 (being Laws
1991, Chapter 227, Section 1, as amended) is amended to read:

"66-7-413.3. PERMITS FOR EXCESSIVE WEIGHT. - -

A. In addition to the authorization granted in
Section 66-7-413 NMSA 1978, special permits may be issued by
the motor transportation division for a single trip or for a
year. The fee for the permits shall be thirty-five dollars
(\$35.00) for a single-trip permit and one hundred twenty
dollars (\$120) for an annual permit. The permits authorized
in this section shall allow for an increase in axle weight

underscored material = new
[bracketed material] = delete

1 over the limit established in Section 66-7-409 NMSA 1978;
2 provided the increased axle weight for liquid hauling tank
3 vehicles that would otherwise haul less than a full tank shall
4 not exceed twenty-five percent of the statutory authorized
5 maximum weight.

6 B. Effective between July 1, 1997 and June 30,
7 [2000] 2003, the increased axle weight of three-axle solid
8 waste collection vehicles shall not exceed ten percent of the
9 [authorized] maximum allowable weight for [the vehicle] any
10 axle.

11 C. The special permits authorized by this section
12 shall not be valid for transportation of excessive weights on
13 the interstate system as currently defined in federal law or
14 as that system may be defined in the future. No special
15 permit issued pursuant to this section shall be valid for
16 gross vehicle weights in excess of eighty-six thousand four
17 hundred pounds or for any combination vehicle.

18 D. If the federal highway administration of the
19 United States department of transportation gives official
20 notice that money will be withheld or that this section
21 violates the grandfather provision of Title 23, U.S.C. Section
22 127, the secretary may withdraw all special permits and
23 discontinue issuance of all special permits authorized in this
24 section until such time that final determination is made. If
25 the final determination allows the state to issue the special

underscored material = new
[bracketed material] = del ete

1 permits without sanction of funds or weight tables, [~~then~~] the
2 secretary shall reissue the special permits previously
3 withdrawn and make the special permits available pursuant to
4 this section.

5 E. Any fees collected pursuant to special permits
6 authorizing over-size or over-weight transportation on state
7 highways shall be collected for the state highway and
8 transportation department to be transferred to the state road
9 fund. Transfers shall be made on or before the tenth day of
10 the month following collection.

11 F. Notwithstanding other provisions of law, the
12 provisions of this section shall not apply after July 1,
13 [~~1999~~] 2003. "